



HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

THOMAS LAI  
Senior Counsel  
E-mail: tlai@law.nyc.gov  
Phone: (212) 356-2336  
Fax: (212) 356-3509

August 7, 2023

**VIA ECF**

Honorable Arun Subramanian  
United States District Court Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Barnes-Williams v. City of New York et al.*, 21-CV-05017 (AS)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York and attorney for the City of New York and Police Officer Travis Gembecki (“Defendants”).<sup>1</sup> With the consent of Plaintiff’s counsel, Paul Prestia, Defendants write to respectfully request a thirty (30) day extension of the time from August 7, 2023 to September 6, 2023 to file their motion for summary judgment and for the Court to endorse the below briefing schedule. This is the first request for such an extension. The reason for this request is the parties are currently engaged in settlement negotiations and are hopeful the matter will resolve shortly. Additionally, because Defendants only recently received a copy of Defendant Gembecki’s deposition transcript, the additional time is needed for Defendant Gembecki to review the transcript for accuracy, and then for Defendants to prepare their motion for summary judgment, should this matter not resolve. Accordingly, Defendants respectfully request for the Court to endorse the following briefing schedule:

- Defendants motion papers due September 6, 2023;
- Plaintiff’s Opposition papers due October 6, 2023; and
- Defendants reply due October 13, 2023.

Thank you for your consideration of the instant application.

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<sup>1</sup> Pursuant to Your Honor’s Individual Practices in Civil Case the undersigned is Lead Trial Counsel in this matter for Defendants.

Respectfully submitted,

Thomas Lai s/

Thomas Lai

Senior Counsel

Special Federal Litigation Division

To: **VIA ECF**  
Paul V. Prestia  
*Attorney for Plaintiff*

The request is granted.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a light blue horizontal line.

Arun Subramanian, U.S.D.J.

Date: August 8, 2023